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original # 10
2837

PATENT APPLICATION

ATTORNEY DOCKET
NO. 68895

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: FITZGIBBON et al.
Application No.: 09/614,222
Title: BARRIER OPERATOR
HAVING SYSTEM FOR
DETECTING
ATTEMPTED FORCED
ENTRY
Filed: July 11, 2000
Group
Art Unit: 2837
Examiner: Ro, B.

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Dan Vesely
(Signature of person mailing)

RESPONSE

Box RESPONSE
U.S. Patent and Trademark Office
P.O. Box 2327
Arlington, VA 22202

Dear Sir:

In response to the outstanding Office Action mailed October 30, 2001, the Applicants hereby respectfully submit the following Response.

1. The Examiner has noted that the original patent must be received before this reissue application can be allowed. The Applicants hereby submit with this response the original patent.
2. The Examiner requests that a Supplemental Declaration be submitted to substantiate that all errors that have been corrected in the present reissue application, which errors were not covered by the earlier submitted Declaration, were errors that arose without any deceptive intent on the part of the Applicants. The Applicants include with this Response a signed Supplemental

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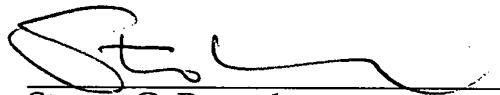
Declaration of James Fitzgibbon and a copy of a signed Supplemental Declaration for John Moravec.

3. The Applicants have earlier noted that the parent to this reissue application is involved in litigation. The Examiner has reminded the Applicants that all documents and/or materials that would be material to the patentability of this reissue application are required to be made of record in reply to this Action. The Applicants respectfully inform the Examiner that only one new document that might be so categorized is a single interrogatory and response from that litigation. A copy of same is attached hereto.

4. On October 19, 2001, the Applicants submitted a Supplemental Information Disclosure Statement identifying four U.S. Patents that the Applicants wished to bring to the attention of the Examiner in connection with the examination with this reissue application. The Examiner's response, dated October 30, 2001, makes no reference to having received or reviewed this Supplemental Information Disclosure Statement and particularly did not include a copy of Form PTO-1449 bearing the Examiner's initials as having reviewed and considered any of these references. The Applicants are therefore resubmitting a copy of that Information Disclosure Statement and the cited references and again respectfully request review and acknowledgment of such review by the Examiner. (Note: The fee for submission of these materials has already been paid by check in the October 19, 2001 submission; therefore, no additional fees are due now.)

5. There being no other issues or concerns, the Applicants respectfully submit that this application is ready for allowance.

Respectfully submitted,


Steven G. Parmelee
Registration No. 28,790

Date: 11/29/01

FITCH, EVEN, TABIN & FLANNERY
120 S. LaSalle St., Suite 1600
Chicago, Illinois 60603
Telephone: (312) 577-7000
Facsimile: (312) 577-7007